

Michael Thompson
August 12, 2016

Page 1

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

MICHAEL THOMPSON

PLAINTIFF

vs.

CIVIL ACTION NO. 3:14cv274-NBB-SAA

CALVIN HAMP, IN HIS INDIVIDUAL CAPACITY AND
IN HIS OFFICIAL CAPACITY AS SHERIFF OF
TUNICA COUNTY, MS, JAMES JONES, IN HIS INDIVIDUAL
CAPACITY AND IN HIS OFFICIAL CAPACITY AS A CAPTAIN
IN TUNICA COUNTY'S SHERIFF'S OFFICE, AND UNKNOWN
DEFENDANTS "A," "B" AND "C" DEFENDANTS

DEPOSITION OF MICHAEL THOMPSON

APPEARANCES NOTED HEREIN

DATE: FRIDAY, AUGUST 12, 2016
PLACE: PAGE, KRUGER & HOLLAND
JACKSON, MISSISSIPPI
TIME: 9:00 A.M.

ORIGINAL

REPORTED BY: KELLYE S. SHOWS, BCR, CSR
CSR #1290

DAVIS COURT REPORTING
Post Office Box 44
Madison, Mississippi 39130
(601) 856-8889
www.daviscourtreporting.com
marytodd@daviscourtreporting.com

Davis Court Reporting, LLC 601.856.8889
marytodd@daviscourtreporting.com 877.496.0079

EXHIBIT

tabbies®

A

Michael Thompson
August 12, 2016

Page 2

1 APPEARANCES:

2
3 MS. EUGENE CARLOS TANNER, III
4 TANNER & ASSOCIATES, LLC
5 263 EAST PEARL STREET
6 JACKSON, MISSISSIPPI 39201
7 Telephone: 601.460.1745
8 carlos.tanner@thetannerlawfirm.com

9
10 MR. MICHAEL J. WOLF
11 PAGE, KRUGER & HOLLAND
12 10 CANEBRAKE BOULEVARD
13 SUITE 200
14 FLOWOOD, MISSISSIPPI 39232
15 Telephone: 601.420.0333
16 mwolf@pagekruger.com

17 COUNSEL FOR DEFENDANTS

18
19 KELLYE S. SHOWS
20 DAVIS COURT REPORTING
21 Post Office Box 44
22 Madison, Mississippi 39130
23 (601) 856-8889

Michael Thompson
August 12, 2016

Page 4

1 MR. WOLF: We're taking this pursuant to
2 Notice. All the substantive objections can be
3 reserved. All procedural objections should be stated
4 on the record. Is that agreeable, the standard
5 stipulation?

6 MR. TANNER: Yes.

7 MICHAEL THOMPSON,
8 having been first duly sworn, was
9 examined and testified as follows:

10 EXAMINATION

11 BY MR. WOLF:

12 Q. Mr. Thompson, my name is Michael Wolf.
13 I'm the attorney for Calvin Hamp and James Jones in
14 a lawsuit you filed against them. I'm here today to
15 take your deposition. I expect you've spoken to your
16 attorney about depositions a little bit. I'm going
17 to go over them, but first let me get your full name
18 spelled, if you would.

19 A. Michael Thompson, M-I-C-H-A-E-L
20 T-H-O-M-P-S-O-N.

21 Q. And your current address?

22 A. 227 Turtle Lane, Brandon, Mississippi 39047.

23 Q. If I can have the last four digits of your
24 Social Security number.

25 A. 6113.

Michael Thompson
August 12, 2016

Page 36

1 Q. Thompson & Wiley, you said they existed
2 only in 2003. Is that correct?

3 A. (Nodded head affirmatively.)

4 Q. Is that a yes?

5 A. Yes.

6 Q. And they never did any business, did they?

7 A. No, no.

8 Q. Did you have a partner in that business?

9 A. Yes.

10 Q. Who was your partner?

11 A. Alex Wiley.

12 Q. Is this the same Alex Wiley that was with
13 you on the date of your arrest in Tunica?

14 A. Yes.

15 Q. Do you know where Alex Wiley lives now?

16 A. Memphis, Tennessee.

17 Q. Prior to your being employed for the
18 County of Tunica, do you know if Alex Wiley was
19 employed in that county?

20 A. Could you repeat that question.

21 Q. I understand at some point in time Alex
22 Wiley was the comptroller for Tunica County. Is that
23 correct?

24 A. Yes.

25 Q. When did he become comptroller, to your

Michael Thompson
August 12, 2016

Page 37

1 knowledge? Was it before you were hired as county
2 administrator or after?

3 A. After.

4 Q. Do you know if he ever held a position
5 with Tunica County before that?

6 A. No, I don't know.

7 Q. Just generally speaking, what does a
8 comptroller do? I've heard that title but I've never
9 taken the time to figure out what a comptroller
10 actually is. Help me out there.

11 A. Bookkeeping.

12 Q. Okay. Do you know if Alex has any
13 particular specialized licenses in accounting or
14 bookkeeping?

15 A. Certified public accountant.

16 Q. Were you the one that hired him to work
17 at Tunica?

18 A. The board voted to employ him.

19 Q. You recommended his hiring?

20 A. Yes, yes.

21 Q. And you solicited him to take on this job.
22 Is that correct?

23 MR. TANNER: Object to the form of the
24 question.

25 BY MR. WOLF:

Michael Thompson
August 12, 2016

Page 57

1 A. Yes.

2 Q. All right. In February of 2014, was your
3 license either revoked or suspended?

4 MR. TANNER: Object to the form of the
5 question.

6 A. At that time, to my knowledge, they were
7 valid.

8 BY MR. WOLF:

9 Q. And have you since discovered that at
10 some point in February of 2014 your license was, in
11 fact, suspended?

12 A. I later learned that my license were
13 suspended.

14 Q. And the suspension was a result of an
15 unpaid ticket out of Montgomery County. Is that your
16 understanding?

17 A. An unpaid ticket out of Montgomery County,
18 yes.

19 MR. WOLF: Let's take five minutes.

20 (OFF RECORD 10:51 A.M. TO 10:54 A.M.)

21 BY MR. WOLF:

22 Q. Can you tell me the reason you left Tunica
23 County as the county administrator.

24 A. The board voted to appoint a new county
25 administrator.

Michael Thompson
August 12, 2016

Page 100

1 legal conclusion.

2 A. I'm not sure I understand the question.

3 BY MR. WOLF:

4 Q. Do you contend that Sheriff Hamp and
5 Deputy Jones had some conversations in which they
6 hatched a plan to arrest you?

7 A. I don't know.

8 Q. Do you have some information about any
9 conversations that took place between Deputy Jones and
10 Sheriff Hamp in which your arrest was contemplated?

11 A. What's the question again?

12 Q. Do you have any information regarding any
13 conversations between Sheriff Hamp and Deputy Jones
14 where they contemplated arresting you before the event?

15 A. The trial transcript.

16 Q. So apart from the trial transcript you don't
17 have any independent knowledge, then, of any conversations
18 between Hamp and Jones regarding a conspiracy before
19 the event, do you?

20 A. I want to make sure I -- I don't understand
21 the question.

22 Q. Twice you've referred to the transcript as
23 the source of your information regarding conspiracy.
24 Do you have any information outside of that trial
25 transcript regarding your allegations of conspiracy?

Michael Thompson
August 12, 2016

Page 106

1 A. I don't know.

2 Q. All right. When we're done with this,
3 will you go look through your papers and if you find
4 any transcripts give them to your counsel?

5 MR. TANNER: Object to the form of the
6 question.

7 BY MR. WOLF:

8 Q. Would you be willing to do that?

9 MR. TANNER: Object to the form of the
10 question.

11 BY MR. WOLF:

12 Q. Now, do you have any information outside
13 of what you recall reading in a transcript regarding
14 what you understood to be the conspiracy that you
15 allege between Jones and Hamp?

16 A. No.

17 Q. Okay. Factually, what is it you're
18 claiming that Calvin Hamp or Sheriff Hamp did to you?
19 Why are you suing him?

20 A. What's the question again?

21 Q. Why are you suing Sheriff Hamp?

22 MR. TANNER: Object to the form of the
23 question.

24 A. Sheriff Hamp is the elected official for
25 Tunica County sheriff.

Michael Thompson
August 12, 2016

Page 109

1 get at is do you have any personal knowledge --
2 let's start with that, what you know personally about
3 what Sheriff Hamp did or didn't do on the day you
4 were arrested.

5 A. I don't recall.

6 Q. Is there a reason you don't recall what
7 Sheriff Hamp did or didn't do on the day you were
8 arrested?

9 A. Is there a reason?

10 Q. Yes. Is there a reason you don't recall
11 his conduct or lack of conduct on the day?

12 A. I don't recall.

13 Q. All right. So as you sit here today you
14 don't have any recollection of the conduct of
15 Sheriff Hamp on the date you were arrested. Is that
16 a correct statement?

17 A. I can't recall. What's the question again?

18 Q. I was asking you if you can think of any
19 reason why you don't recall his conduct on the date
20 in question?

21 MR. TANNER: Object to the form of the
22 question.

23 BY MR. WOLF:

24 Q. There's a question out there.

25 A. Which is?

Michael Thompson
August 12, 2016

Page 110

1 Q. Let me ask you a better way. What
2 happened to your memory or has something happened to
3 your memory that doesn't allow you to recall?

4 A. No.

5 Q. Okay. So as you sit here today you have
6 a good recollection of the events of that day that
7 you were arrested?

8 A. Good?

9 Q. Yes. You do recall the events of that day
10 that you were arrested. Correct?

11 A. I'm not sure which events you're talking
12 about.

13 Q. The date you were arrested.

14 A. Okay.

15 Q. Do you recall that day?

16 A. Yes.

17 Q. Okay.

18 A. Yes, yes.

19 Q. Do you recall having seen Sheriff Hamp at
20 any point that day?

21 A. I can't recall.

22 Q. All right. Did you see him during your
23 arrest that day?

24 A. No.

25 Q. Did you see him after your arrest that day?

Michael Thompson
August 12, 2016

Page 111

1 A. No.

2 Q. Okay. Have you spoken to anybody or has
3 anybody told you that Sheriff Hamp did something to
4 conspire to violate your constitutional rights?

5 A. I can't recall.

6 Q. Have you spoken to anybody or been told
7 by anybody, other than your lawyer, about conduct of
8 Sheriff Hamp that you believe relates to this event
9 in which you were arrested?

10 A. I can't recall.

11 Q. How about Deputy Jones? Do you recall
12 seeing him on the date of the arrest?

13 A. Yes.

14 Q. All right. And, in fact, he arrested you.
15 Correct?

16 A. Yes.

17 Q. All right. And other deputies were there
18 and present that day as well. Correct?

19 A. Yes.

20 Q. And, in fact, another deputy -- did another
21 deputy transport you to the jail?

22 A. Yes.

23 Q. Do you recall who that deputy was?

24 A. I can't recall. I can't recall.

25 Q. Do you believe that Sheriff Hamp and

Michael Thompson
August 12, 2016

Page 114

1 Q. What happened next that you recall?

2 A. I recall Mr. Wiley saying no.

3 Q. Do you recall what happened next?

4 A. I recall the officer requesting Mr. Wiley's
5 license.

6 Q. At this point did you recognize the officer?

7 A. No.

8 Q. After the officer requested the license,
9 what do you recall happening next?

10 A. At some point thereafter I recall the
11 officer stating that there was a problem with
12 Mr. Wiley's license.

13 Q. Then what happened next?

14 A. I recall the officer asking Mr. Wiley
15 what that problem was.

16 Q. And do you recall what happened or was
17 said next?

18 A. I recall Mr. Wiley trying to explain
19 something but I can't recall specifically what.

20 Q. All right. After that what happened?

21 A. I recall at some point thereafter -- at
22 some point I recall the officer requesting that I
23 operate the vehicle.

24 Q. Do you recall exactly what was said?

25 A. I recall the officer saying because

Michael Thompson
August 12, 2016

Page 115

1 something is wrong with Mr. Wiley's license that you
2 need to let your passenger drive.

3 Q. All right. What happened next?

4 A. At some point I entered the driver seat.

5 Q. And at any point prior to you entering
6 the driver seat did you inform the officer that your
7 license was suspended?

8 A. No.

9 Q. Okay. After entering the driver seat,
10 what happened next?

11 A. Thereafter I pulled off to continue to
12 head to Memphis.

13 Q. During that initial stop did you or
14 Mr. Wiley attempt to inform the officers -- the
15 stopping officer that you were county employees?

16 A. I recall Mr. Wiley stating that he was
17 the comptroller.

18 Q. Did you ever indicate who you were?

19 A. I don't recall.

20 Q. Did you ever hear Mr. Wiley say this is
21 the county administrator here or indicate your name
22 to the officer?

23 A. I don't recall.

24 Q. Did you ever have any contact with Deputy
25 Jones prior to the date of the arrest?

Michael Thompson
August 12, 2016

Page 144

1 A. I can't recall.

2 Q. Are you an economist, sir?

3 A. No.

4 Q. Have you ever had any background or
5 experience or training in future income accounting?

6 A. No.

7 Q. You mentioned earlier that when you --
8 during some year that you were with KPMG -- I think
9 it may be 2011, but if not forgive me, but at some
10 year you made \$119,000 per year. Do you recall that?

11 A. Yes.

12 Q. Is that plus benefits? Were you also given
13 benefits or compensation benefits for your work at KPMG?

14 A. Yes, yes.

15 Q. You told Mr. Wolf that you were hired by
16 Tunica board of supervisors to be the county
17 administrator in January of 2014. Are you sure of
18 that date? Could it have been December instead of
19 January?

20 A. The board took the vote in December and
21 made the start date effective January.

22 Q. Okay. So it could be said that you were
23 hired in December even though the start date was in
24 January?

25 A. Yes.

1 CERTIFICATION OF REPORTER

2

3 I, Kellye S. Shows, Court Reporter and
4 Notary Public for the state of Mississippi, do
5 hereby certify that the above and foregoing pages
6 contain a full, true and correct transcript of the
7 proceedings had in the aforesigned case at the time
8 and place indicated, which proceedings were recorded
9 by me to the best of my skill and ability.

10 I also certify that I placed the witness
11 under oath to tell the truth and that all answers
12 were given under that oath.

13 I certify that I have no interest,
14 monetary or otherwise, in the outcome of this case.

15

16

17 This the 20th day of August, 2016.

18

19

Kellye S. Shows

20

KELLYE S. SHOWS
MS CSR #1290

21

22

My Commission Expires:
January 17, 2020

24

25

